

BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

HOUSE JOINT APPROPRIATIONS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT,
AND JUSTICE COMMITTEE

Date: Thursday, February 19, 2009

Time: 9:00 am

Place: Capitol

Room: 317-A

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

Judicial Branch - DP 1001, 1005, 1008, 1010, 2001, 2002, 4003, 4004,
-4001, 5001, 5002

Dept. of Justice - DP 201, 1201, 1202, 1203, 1204, 1205, 1208, 1802, 1806
1814, 3201, 3203, 302,

Office of Public Defender PL 0001, 0009, 0002, DP 5,

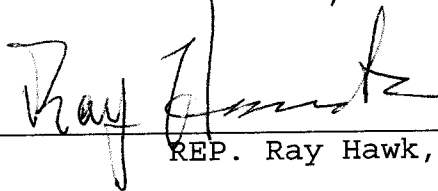
Dept. of Corrections PL 802, 806, 101, 902, 601, 702, 703, NP 601

Board of Crime Control PL 602, 210, 204, 206, 216, 0208, NP 218,
219, 211, 212, 203, 218, 220, 303, 306

COMMENTS:

NP 0406, PL 406, NP 501, PL 0502,
PL 0503, NP 0506,

308, 314, 309, 301, 304, 305, 316, 317
311, 0313, 313, 0312, 402, 404, ~~0407~~



REP. Ray Hawk, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
Judicial Branch, Law Enforcement and Justice Appropriations
SUBCOMMITTEE

DATE: 2-19-09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Representative Hawk (Chairman)	✓	
Senator Gallus	✓	
Representative Getz	✓	
Senator Brueggeman (Vice Chairman)	✓	
Representative Hiner	✓	
Senator Bales	✓	
Representative Nooney	✓	

DATE 2-19-09 BILL NO DP 1814 MOTION NO. _____

Substituted Motion

[illegible]

[illegible]

Ideas for Interim Monitoring by the Legislative Finance Committee

The following list is provided as a tool for use by the Joint Appropriations Subcommittee for the Judicial Branch, Law Enforcement and Justice during deliberation regarding items the subcommittee may wish to consider recommending that the Legislative Finance Committee monitor during the interim.

All Agencies/Judicial Branch

1. Vacancy Savings/ Turnover/Staffing/Mandatory Overtime
 - a. Monitor – vacancy savings rate
 - b. Monitor – staff turnover rate
 - c. Monitor staffing patterns, caseload
 - d. Monitor amount/cost of mandatory overtime

Judicial Branch

1. Performance measures adopted by the Supreme Court and implementation of these measures in District Courts (either monitor compared to baseline or ask Judicial Branch to set goal and monitor accomplishment of the goal).
 - a. Employee Survey
 - b. Constituent Survey
 - c. Case Processing Measures
 - i. Case Clearance and Productivity
 - ii. Age of Pending Caseload
 - iii. On-time Case Processing
2. Appellate mediator
 - a. Senator Bales suggestion on 2/5 – set “goal” or “target”
 - b. Per Judicial Branch handout – measures include:
 - i. Number and percent of cases successfully mediated in-home compared to baseline data
 - ii. Number and percent of cases successfully mediate in-house compared to cases mediated by private attorneys
 - iii. Improvement in case processing performance measures compared to baseline data
3. Water court
 - a. Issuance of decrees compared to schedule presented
4. E-filing initiative (Clerk of Supreme Court)
 - a. Request that the Judicial Branch provide information on timeframe for accomplishment and performance measures

Montana Board of Crime Control

1. Various data processing/information technology initiatives – request that the agency provide information on timeframes for accomplishment and performance measures
 - a. DP 103 Detention Data Information System
 - b. DP 107 Criminal History Record Improvement Grant
 - c. DP 109 Juvenile Detention Center Reporting
 - d. DP 111 NIBRS Web Stats Enhancement (Biennial/OTO)

Justice - request that the agency provide information on timeframes for accomplishments and performance measures the coming biennium

1. Motor Vehicle Division
 - a. MERLIN – Montana Enhanced Registration and Licensing Information Network –

2. Montana Highway Patrol
 - a. Improve technologies to increase trooper efficiency (SMART Cop)
3. Division of Criminal Investigation
 - a. Meth Watch
 - b. Computer crime investigations – forensic caseloads investigated and prosecuted that involve use of the internet
 - c. POST – ensure accuracy of database and eliminate duplications: quantify number of agency reviews conducted; complaints investigated, and certification audits performed by the council

Public Service Regulation

1. Reporting on activities not specifically related to dockets (hours spent by staff on these activities)

Office of Public Defender

1. Include reporting in companion bill
2. Completion of employee performance appraisals and contractor proficiency exams

Department of Corrections

1. DP – 216 Additional START Beds
 - a. Page I-16 shows 73 percent discharge to community placement, what is goal for 2011 biennium?
2. DP – 303 Mental Health Contract Conversion
 - a. It appears the department thinks there are benefits to having FTE rather than contractor (something that can be done better with FTE than contract did) – what is it, how can you tell it happened?
3. DP 311 Contract Bed Annualization; DP 312 Contract Bed Population Growth; DP 314 Work Dorm Expansion
 - a. Contract beds (secure care) – Ensure adequate capacity to manage offenders in most appropriate placements (per DOC spreadsheet) – The consultant talked about custody levels – Does that mean have enough bed space to accommodate/house inmates in a facility matching the offenders' classification level? If it does, then perhaps a measure to be reported might be number of offenders at each custody level and number of beds at each custody level
 - b. Page 22 – existence of the private and regional prisons has prevented overcrowding and allowed the department to avoid moving inmates to other states – So is the goal to avoid having inmates placed out of state?
4. DP 703 Early Return to Work
 - a. Per DOC sheet – monitor the number and severity of department high frequency injury types such as trips and falls
 - b. Can reduction in severity and frequency be related to worker comp rate?
5. DP 208 Annualize MH Meds and Services
 - a. Per DOC sheet – Track the number of offenders receiving services because of this program
 - b. Add reporting on status of offender – maintained in community; returned because
 - c. Identification of “other” needs of this population in order to be maintained in community
6. DP 5101 JDIP Fund Reduction
 - a. Collect data on number of youth in placement
 - b. Are there other items to track? Denial of placement; Shift to other caseloads, other resources?
7. Administrative and Financial Services
 - a. Audit issue – contract payment?
 - b. Monitor progress on work plan completion
 - c. Monitor results of performance audit
8. Inmate/Montana ID issue – Issuance of state identification cards and impact on offenders returning to communities
9. Expenditure of carry-forward funds

PSC activities not specifically related to docketed proceedings:

- Utility consumer complaints
- Compliance monitoring
- Consumer information regarding utility service
- Pipeline safety enforcement
- Utility service quality monitoring
- Oversight/review of utility annual reports
- Review/monitoring of regulated utility filings at SEC, FERC, FCC, etc.
- Review/monitoring of Pacific Northwest regulatory issues that could affect Montana at BPA, Northwest Power & Conservation Council, other states in region
- Participation in regional transmission groups, such as:
 - Midwest Independent System Operator (MISO), Organization of MISO States (OMS)
 - Northern Tier Transmission Group (NTTG)
 - Committee for Regional Electric Power Cooperation (CREPC)
- Telecommunications-related activities, such as:
 - Staff participation on FCC Federal-State Joint Board on Universal Service
 - Staff participation on the Qwest Regional Oversight Committee
 - Attendance, sometimes invited panelists or presenters, at industry conferences
 - Participation on National Association of Regulatory Utility Commissioners staff subcommittees/meetings
- Rulemaking
- Responding to information requests from inside and outside the agency
- Review of federal and state legislation related to PSC mission
- Participation on NorthWestern Energy's Technical Advisory Committee
- Handling of non-docketed telephone tariff filings
- Pre-filing meetings/correspondence with small regulated utilities concerning PSC process and procedures
- Preparation for and participation in PSC-sponsored events (examples: Demand Response Workshop, E-filing workshop)
- Motor Carrier enforcement/compliance